

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 758

2020 Regular Session

Zeringue

PUBLIC CONTRACTS: Provides relative to payments under public contract

Synopsis of Senate Amendments

1. Adds provision limiting proposed law to flood protection and integrated coastal protection projects.
2. Adds provision requiring the 45-day period provided in present law for materialmen, laborers, and subcontractors to file claims for payment for work performed on the project to have expired before liquidated damages may be withheld pursuant to proposed law.

Present law establishes guidelines and restrictions for public contracts.

Proposed law defines "liquidated damages" as they relate to public contracts as a fixed sum of damages stipulated in a public works construction contract intended to compensate a public entity for performance delay damages.

Present law prohibits a public entity from withholding payments for public works contracts.

Proposed law adds an exception for flood protection and integrated coastal protection projects, authorizing the withholding of liquidated damages from monies due a contractor *if* the contract allows such withholding *and* the 45-day claim period for subcontractors, laborers, and materialmen has expired.

(Adds R.S. 38:2211(A)(14) and 2248(C))